REMARKS

Please note the fact that February 5, 2005, fell on a Saturday ensures that this paper is timely filed as of today, Monday, February 7, 2005 (the next succeeding day which is not a Saturday or Sunday).

The drawings stand objected to as failing to comply with 37 CFR 1.84(p)(5), it being asserted that "TCK, TDI. TMS, and TDO should have a direction of data flow." This objection is respectfully traversed. 37 CFR 1.84(p)(5) states "Reference characters not mentioned in the description shall not appear in the drawings. Reference characters mentioned in the description must appear in the drawings." As reference numerals are preferred as reference characters (37 CFR 1.84(p)(1)), this objection is not understood and should it not be withdrawn clarification is requested.

The drawings also stand objected to under 37 CFR 1.83(a) for allegedly failing to show every feature of the invention specified in the claims. This objection is also respectfully traversed. 37 CFR 1.81(a), however, states a drawing must be furnished "where necessary for the understanding of the subject matter sought to be patented". There has been no assertion by the Office that a drawing is necessary to understand "controlling said MUX element in order to be able to read a schema from said FPGA into said EEPROM" (Claims 2, lines 5-6) and "the MUX being controllable to permit data to be read from said FPGA device" (Claim 3, lines 9-10). As such, it is respectfully submitted this objection should be withdrawn.

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Claim 2 also stands objected to, it being asserted "the configuration" should be changed to –a configuration--, which has been done. Applicant intends no change in the scope of the claims by the changes made by this amendment. It should be noted this amendment is not in acquiescence of the Office's position on allowability of the claims, but merely to expedite prosecution.

Claims 1-4 are pending in the application. Claims 1, 2, and 3 are independent claims; claim 4 is a dependent claim. In the Office Action dated November 5, 2004, pending Claim 1 was allowed and Claims 2-4 were objected to.

Claim 2 stands objected under 35 USC 132, it being asserted "controlling said MUX element in order to be able to read a schema from said FPGA into said EEPROM" is new matter. Claim 2 also stands rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement, it being asserted that this same language contains subject matter which was not described in the specification in such a way as to convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Claims 3-4 also stand rejected under 35 USC 112, first paragraph, does not provide enablement "for said MUX being controllable to permit data to be read from FPGA". This objection and rejections are respectfully traversed.

Claim 3 as originally filed recited "said MUX element being controllable to select either said PROM device or said EEPROM device or said FPGA device for reading data from said devices". Furthermore, the Abstract as originally filed stated "[t]he MUX

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element can be controlled to read data from either the PROM device, EEPROM device, or FPGA device". Since 35 USC 112, second paragraph, provides that "[t]he specification shall conclude with one or more claims," and an Abstract is also generally considered to be part of the specification, it is respectfully submitted that this objection and these rejections should be withdrawn.

The "prior art made of record" has been reviewed. Applicants acknowledge that such prior art was not deemed by the Office to be sufficiently relevant as to have been applied against the claims of the instant application. To the extent that the Office may apply such prior art against the claims in the future, Applicants will be fully prepared to respond thereto.

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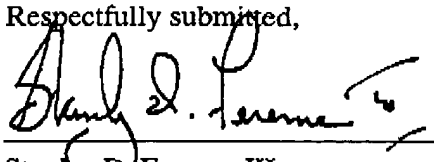
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In view of the foregoing, it is respectfully submitted that Claims 2 and 3 are fully distinguishable over the applied art and are thus allowable. By virtue of dependence from Claim 3, it is thus also submitted that Claim 4 is also allowable at this juncture. Notice to the effect is hereby earnestly solicited. If there are any further issues in this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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